



File Code: 6270
2021-FS-WO-00081-A

Date: 7/7/23

Delivered via ELECTRONIC MAIL: jeffreydavidburgess@gmail.com

Mr. Jeff Burgess
7650 South McClintock Drive, #103-248
Tempe, AZ 85284

Dear Mr. Burgess:

This is our final response to your Freedom of Information Act (FOIA) appeal dated April 14, 2021, and received on April 15, 2021, in the U.S. Department of Agriculture's Forest Service Washington Office FOIA Service Center. Your appeal is assigned tracking number 2021-FS-WO-00081-A.

You are appealing the Southwestern Region's March 31, 2021, response to your March 16, 2021, initial FOIA request, assigned tracking number 2021-FS-R3-02858-F. In your initial FOIA request you requested the following:

"[C]opies of two grazing allotment management plans (AMPs) [which] were completed [in 1996] for what are now called the Tonto Basin Northwest & Tonto Basin Southeast grazing allotments in the Tonto National Forest's Tonto Basin Ranger District. Also, in 2001 each of these permits were reduced by about 50% for on compliance. Please send...copies of those two livestock reduction notices."

In your appeal, you contest the decision to withhold records in part under FOIA Exemption 6. Specifically, you are appealing the withholding of the names of grazing permittees.

As a preliminary matter, portions of the 72-page records set contain Department of the Interior's Bureau of Reclamation equities. We have consulted with this agency, and our release determination reflects their recommendations.

Your appeal is granted in full. We reviewed the 72 pages under appeal and determined that we are no longer asserting Exemption 6 to redact any portion of these records.

The FOIA provides that requesters pay the reasonable costs for search, review, and duplication of records. Pursuant to Title 7, Code of Federal Regulations, Subtitle A, Part 1, Subpart A, Appendix A, there is no charge as the amount falls below the minimum required to collect fees.

This is the Agency's final determination of your FOIA appeal. You may seek judicial review of the determination in an appropriate United States District Court pursuant to 5 U.S.C. § 552(a)(4)(B).



Prior to seeking judicial review, you may contact the Office of the Government Information Services (OGIS). OGIS was created within the National Archives and Records Administration when the OPEN Government Act of 2007 amended the FOIA. OGIS provides mediation of FOIA disputes between appellants and Federal agencies. Participation in mediation does not affect your right to judicial review. Contact information for OGIS can be found at: <http://www.archives.gov/ogis/>.

Sincerely,



Digitally signed by
CHRISTOPHER FRENCH
Date: 2023.07.07 11:58:47
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CHRISTOPHER B. FRENCH
Deputy Chief, National Forest System

Enclosures: 72 pages